

Applicant : Michael A. Apicella et al.
Serial No. : 09/574,460
Filed : May 18, 2000
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Attorney's Docket No.: 17023.004US1 / 98010

REMARKS

Applicants respectfully requests entry of the amendments and remarks submitted herein. Claims 1-29 were previously canceled. Claims 30, 35-37, 39, 44-46, 48, and 52-54 are currently amended. Therefore, claims 30-55 are currently pending.

Support for the amendments to the claims can be found in the originally filed claims and throughout the specification. Reconsideration of the pending application is respectfully requested.

Interview Summary

Applicants' representative thanks Examiner Pak for the courtesy of a telephonic interview on October 5, 2005. The rejection of claims 30-55 under 35 U.S.C. §112, second paragraph were discussed during the interview.

Claims Rejections under 35 U.S.C. §112

Claims 30-55 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which application regards as the invention. In particular, the examiner states that the scope of the term "gene" is not definite, as a gene may comprises of a coding sequence and introns, exons and regulatory sequences.

The term "gene" has been removed from the claims. Therefore, Applicants respectfully request that this rejection under 35 U.S.C. § 112, second paragraph be withdrawn.

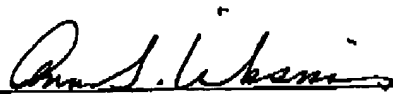
Applicant respectfully requests a favorable examination of the merits of this patent application. The Examiner is invited to telephone Applicant's attorney at (952) 876-4091 to facilitate prosecution of this application. Please charge any fees deemed necessary to Deposit Account 50-3503.

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Respectfully submitted,

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